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MAR 27 2006

I hereby certify that this Amendment and Response to Office Action is being facsimile transmitted to the United States Patent and Trademark Office at (571) 273-8300 and is addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: 3/27/06By Kim L. Brown
SignatureIN THE UNITED STATES PATENT
AND TRADEMARK OFFICEPATENT

Applicant: Bruce K. Zeller

Docket No.: 34985.0136

Serial No.: 10/823,113

Examiner: Joseph C. Rodriguez

Filed: April 13, 2004

Art Unit: 3653

Title: METHOD AND APPARATUS FOR
SEPARATING EXCAVATED
MATERIAL

AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of September 26, 2005, the period of response for which is hereby extended by three months to March 27, 2006 (in that March 26, 2006 falls on a Sunday), please consider the following remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Drawings begin on page 6 of this paper and include attached replacement sheets for Figs. 1-3.

Remarks/Arguments begin on page 7 of this paper.